

IC 34-30-17

Chapter 17. Insurance: Immunity for Acts or Omissions in Making Insurance Inspections

IC 34-30-17-1

Applicability of chapter

Sec. 1. This chapter applies to all insurers, including farm mutual insurance companies operating under IC 27-5.1.

As added by P.L.1-1998, SEC.26. Amended by P.L.129-2003, SEC.14.

IC 34-30-17-2

Exemption from civil liability

Sec. 2. Except as provided in section 3 of this chapter, an act or omission in the making of an inspection in connection with the issuance or renewal of a policy of casualty or fire and marine insurance does not subject an insurer or its:

- (1) agents;
- (2) employees; or
- (3) service contractors;

to civil liability for any injury, death, or loss.

As added by P.L.1-1998, SEC.26.

IC 34-30-17-3

Exemption from civil liability; exceptions

Sec. 3. The exemption from civil liability in section 2 of this chapter does not apply to:

- (1) any injury, loss, or death that:
 - (A) occurs during an inspection; and
 - (B) is proximately caused by the negligence of the insurer or its agent, employee, or service contractor;
- (2) an inspection that is required under a written service contract; or
- (3) any injury, loss, or death proximately caused by an act or omission that constitutes:
 - (A) a criminal offense;
 - (B) gross negligence; or
 - (C) willful or wanton misconduct.

As added by P.L.1-1998, SEC.26.